

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

REBECCA BROWN, AUGUST	)	
TERRENCE ROLIN, STACY JONES-	)	
NASR, and MATTHEW BERGER on	)	
behalf of themselves and all others	)	Civil Action No. 20-64
similarly situated,	)	
	)	
Plaintiffs,	)	Judge Marilyn J. Horan
	)	Magistrate Judge Lisa Pupo Lenihan
v.	)	
	)	
TRANSPORTATION SECURITY	)	
ADMINISTRATION; DAVID P.	)	
PEKOSKE, Administrator, Transportation	)	
Security Administration, in his official	)	
capacity; DRUG ENFORCEMENT	)	
ADMINISTRATION; TIMOTHY J. SHEA,	)	
Acting Administrator, Drug Enforcement	)	
Administration, in his official capacity;	)	
STEVE DAWKIN, Agent, Drug	)	
Enforcement Administration, in his	)	
individual capacity; and UNITED STATES	)	
OF AMERICA,	)	
	)	
Defendants.	)	

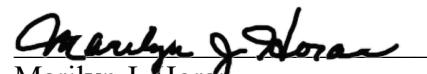
**ORDER OF THE COURT**

AND NOW, this 30th day of March 2021, it is hereby ORDERED that, in accordance with the Opinion of the Court, ECF No. 78, the January 7, 2021 Report and Recommendation, ECF No. 66, is ADOPTED in part and REJECTED in part as the Opinion of this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Report and Recommendation, the Government Defendants' Motion to Dismiss, ECF No. 55, is DENIED as to Counts I through III but GRANTED as to Count IV.

IT IS FURTHER ORDER that, for the reasons set forth in the Report and Recommendation and as amended by this Court's Opinion, ECF No. 78, Agent Dawkin's Motion to Dismiss, ECF No. 47, is GRANTED as to Count V.

BY THE COURT:

  
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Marilyn J. Horan  
United States District Judge

cc: Honorable Lisa Pupo Lenihan  
United States Magistrate Judge

All Counsel of Record via CM-ECF